

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION

JOYCE SNYDER

PLAINTIFF

V.

CIVIL ACTION NO. 1:17-CV-00200-SA-DAS

L-3 COMMUNICATIONS VERTEX
AEROSPACE, LLC, and IUE-CWA
INDUSTRIAL DIVISION OF THE
COMMUNICATIONS WORKERS OF AMERICA

DEFENDANTS

ORDER

IUE-CWA Industrial Division of the Communication Workers of America filed a cross claim against L-3 Communications Vertex Aerospace, LLC, for failure to submit a grievance arising out of the Plaintiff's discharge to arbitration as required by Article 22 of their Collective Bargaining Agreement. This cross claim is the center of dispute in cross motions for summary judgment [21, 27]. L-3 Communications filed its Motion for Summary Judgment [21] on April 3, 2018. The Communications Workers Union filed its cross Motion for Summary Judgment [27] on April 17, 2018. Both motions address essentially an identical issue: Whether the Court has subject matter jurisdiction over the breach of a collective bargaining agreement claim.¹

After briefing was complete, the parties informed the Court of a pending arbitration regarding the grievance which arose from the Plaintiff's discharge and argued that the issues presented in the cross-motions are therefore moot. Thus, the Court dismisses the cross motions for Summary Judgment [21, 27] as Moot.

So ORDERED on this the 13th day of November, 2018.

/s/Sharion Aycock

UNITED STATES DISTRICT COURT JUDGE

¹ After these motions were filed, L-3 filed a Motion for Leave to File Surreply [50] on May 30, 2018. Later, the Communication Workers Union filed a Supplement to Motion [52] regarding their Motion for Summary Judgment [27]. After review and consideration of the proposed Surreply [50], the Court grants L-3 Communication's unopposed Motion for Leave to File Surreply [50].